

NOTICE OF CLEANUP OF PCB WASTE AND DECLARATION OF RESTRICTIVE COVENANT

This Notice of Cleanup of PCB Waste and Restrictive Covenant ("Notice") has been recorded with the County Recorder of Deeds for the purpose of protecting public health, safety and welfare, and the environment and notifying owners of the Property (as defined below) of its condition.

The United States Environmental Protection Agency (U.S. EPA) has approved the standards for polychlorinated biphenyl ("PCB") remediation as documented in a letter report, dated April 29, 2003, addressed to Mr. Ken Zolnierczyk at U.S. EPA Region V, prepared by Huff & Huff, Inc., on behalf of Tyco Flow Control, Inc. ("Tyco"). This Restrictive Covenant limits the use of a portion of the property depicted on the attached Site Base Map (See Exhibit A attached hereto and incorporated herein for all purposes) to uses consistent with a Low Occupancy Area (as defined in 40 C.F.R. § 761.3) for residual PCBs. That portion of the Property subject to restricted use is herein called the "Restricted Area." The Property of which the Restricted Area is a part is more fully described below:

1. A legal description or reference to a Plat showing the boundaries of the Property is attached as Exhibit B, and incorporated herein for all purposes.
2. Common/Street Address: 407 E. California Street
Andrews, Indiana 46702
HUNTINGTON COUNTY RECORDER 13P
I 2004005319 Page 1 of 13
Date 07/23/2004 Time 10:53:27
3. Real Estate Tax Index/Parcel Index Number: 0180018100
4. Current Site Owner: Tyco Flow Control, Inc.

Now, therefore, Tyco, pursuant to 40 C.F.R. § 761.61(a)(8) (2003), hereby imposes the following restrictions on the Property and covenants and agrees as follows:

I. DEFINITIONS

Where used herein, the following terms shall have the following meanings:

1. The term "Owner" shall mean the then-current title holder of the Property or any other person holding legal indicia of ownership, or who owns, operates, leases or has any other real property interest in the Property at any given time.
2. The term "Low Occupancy Area" shall have the meaning defined in 40 C.F.R. § 761.3 (2003), to wit:

"Any area where PCB remediation waste has been disposed of on-site and where occupancy for any individual not wearing dermal and respiratory protection for a calendar year is: less than 840 hours (an average of 16.8 hours per week) for non-

or persons acting under their direction and control, and shall continue until the EPA and Tyco approve any modification, amendment, termination, or removal of this Restrictive Covenant in accordance with Section II.3 hereof. A copy of this Restrictive Covenant shall be provided to all future Owners by the person transferring or conveying the interest.

2. Owner shall provide a copy of this Restrictive Covenant to any contractor, subcontractor, utility, or other individual or entity that will be performing work of any kind or nature on the Property, and shall cause all such individuals or entities to comply with the terms of this Restrictive Covenant.

3. If any provision of this Restrictive Covenant is held to be invalid by any court of competent jurisdiction the invalidity of such provision shall not affect the validity of any other provisions hereof. All such other provisions shall continue unimpaired in full force and effect.

4. All notices required under this Restrictive Covenant shall be given by certified mail, return receipt requested, or by nationally recognized overnight carrier, and directed as follows:

If to Tyco: Ryan K. Stafford
Vice President & General Counsel
Tyco Engineered Products & Services
Seven Holland Way
Exeter, NH 03833-2938

If to US EPA: U.S. EPA Region 5
Pesticides and Toxics Enforcement Section
77 West Jackson Boulevard
Chicago, IL 60604-3507

Notices so given shall be deemed effective on the date of receipt by the party to whom notice is being provided.

The undersigned person executing this Restrictive Covenant is the Owner, or has the express written permission of the Owner, and represents and certifies that he or she is duly authorized and has been empowered to execute and deliver this Restrictive Covenant.



EXHIBIT A I 2004005319

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(Site Base Map)

EXHIBIT B

(Legal Description of the Property)

BOOK 245 PAGE 183

thence North 00° 13' West (recorded North 00° 45' 30" West), on and along a chain link fence, a distance of 45.45 feet to a chain link corner post; thence North 46° 12' East (recorded North 44° 57' 30" East), on and along a chain link fence, a distance of 95.0 feet to a chain link corner post; thence North 00° 37' East (recorded North 00° 19' West), on and along a line established by a chain link fence and monuments found, a distance of 224.0 feet to the point of beginning, containing 3.673 acres of land, more or less.

SUBJECT TO all covenants, easements and restrictions of record and all applicable building and zoning laws and ordinances.

SUBJECT TO all taxes and assessments due and payable or becoming due and payable after the date hereof.

Grantor certifies that it is the successor by merger to Indiana Bank and Trust Company of Fort Wayne, and full power and authority has been granted to it as Successor Trustee to mortgage, pledge, or otherwise encumber said property, or any part thereof, to execute deeds, contracts or other instruments otherwise pertaining to said real estate without limitation, and to otherwise deal with said property in every way as if said Successor Trustee were in fact the lawful owner thereof and in no case shall any party dealing with said Successor Trustee in relation to said premises be obliged to see that the terms of the Trust have been complied with or to inquire into or question the authority of said Successor Trustee to execute any documents in relationship to said premises.

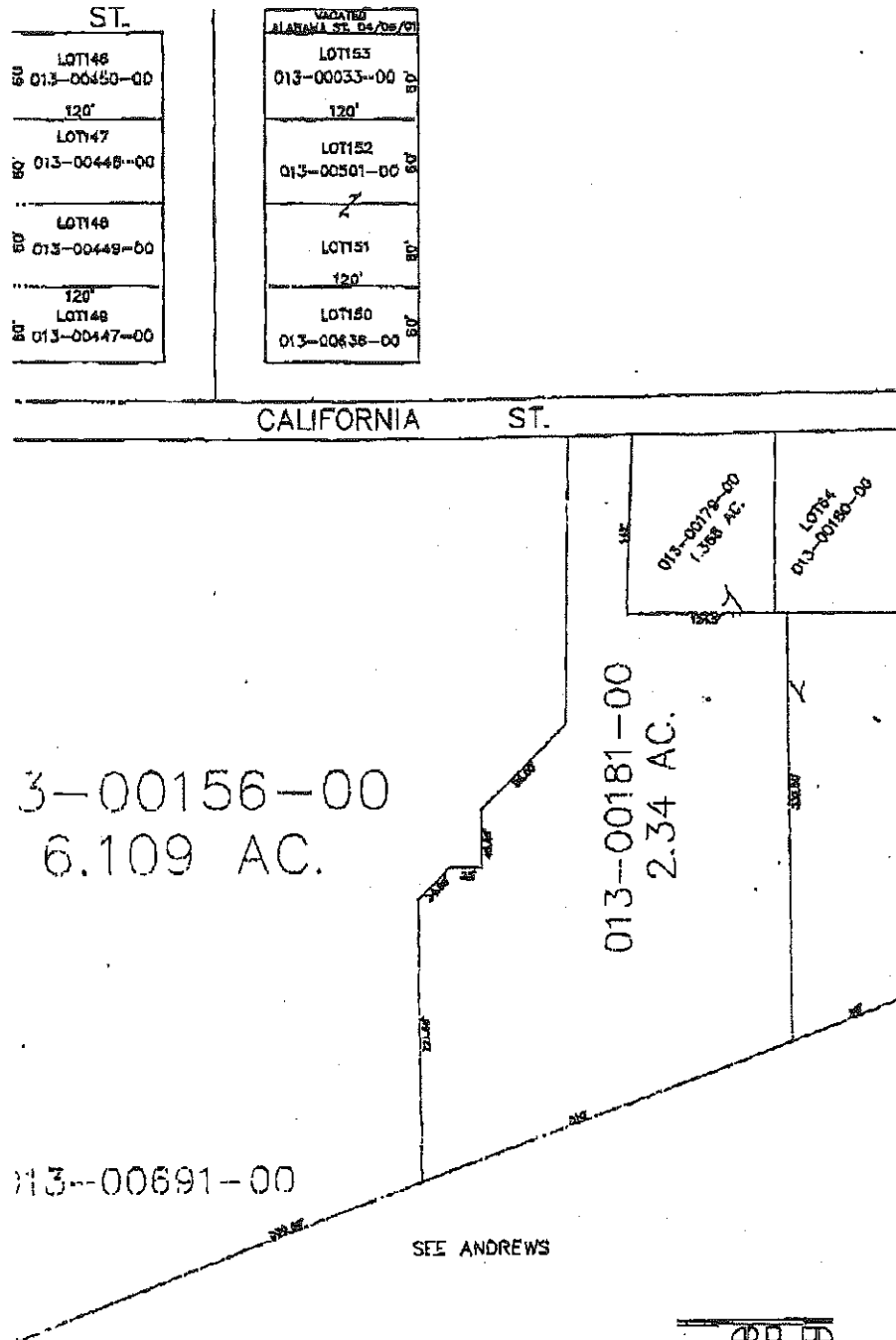
Dated this 12th day of July, 1990.



SUMMIT BANK (formerly Indiana Bank and Trust Company of Fort Wayne), as Successor Trustee

By: Richard C. Solaro
Richard C. Solaro, Senior
Vice President and Senior
Trust Officer

By: Phyllis J. Alberts
Phyllis J. Alberts
Assistant Secretary



SEE ANDREWS

BEAM, LONGEST & NEFF, INC.
Consulting Engineers
Indianapolis, Indiana

This Drawing is a Graphical Representation of Land Ownership Records on file in the Court-house, and are Accurate within Standard mapping Accuracies. Not to be Constructed as a Legal Land Survey Document.

Lucent Technologies
Bell Labs Innovations



**DEFINITY® Enterprise Communications Server (ECS)
Release 5**

**8410 Voice Terminal
Quick Reference**

**555-230-764
Comcode 107672974**

Refer to the procedures on this card to use the features on your 8410 voice terminal. The features here are listed in alphabetical order. In the spaces provided, write the feature access codes for your system. For more information about any of these features, see your system manager or refer to the *DEFINITY® Enterprise Server (ECS), Release 5 8410 Voice Terminal User's Guide*, 555-230-763.

USING THE SOFTKEYS

If your 8410 has a display, you may be able to access up to 12 features with the softkeys. You can activate available softkey features by pressing **Menu** and then the softkey below the feature abbreviation. If the feature you want to use is not on the bottom line of the display, press **Next ►** or **◄ Prev** until you see the feature you wish to access. When the feature is active, an arrow appears above the feature. (However, if the feature requires you to dial a telephone number or extension, such as Call Forwarding, you will temporarily see the digits you are dialing, rather than the arrow, above the feature name.)

ABBREVIATED DIALING (AD)

To program/reprogram an AD button

- 1 Pick up handset.

NOTE: For speakerphone users, press a call appearance button or press **Speaker**.

- 2 Press softkey below Prog (for display users)
or Press **Program**
or Dial AD Program access code * 0.
- 3 Press AD button to be programmed.

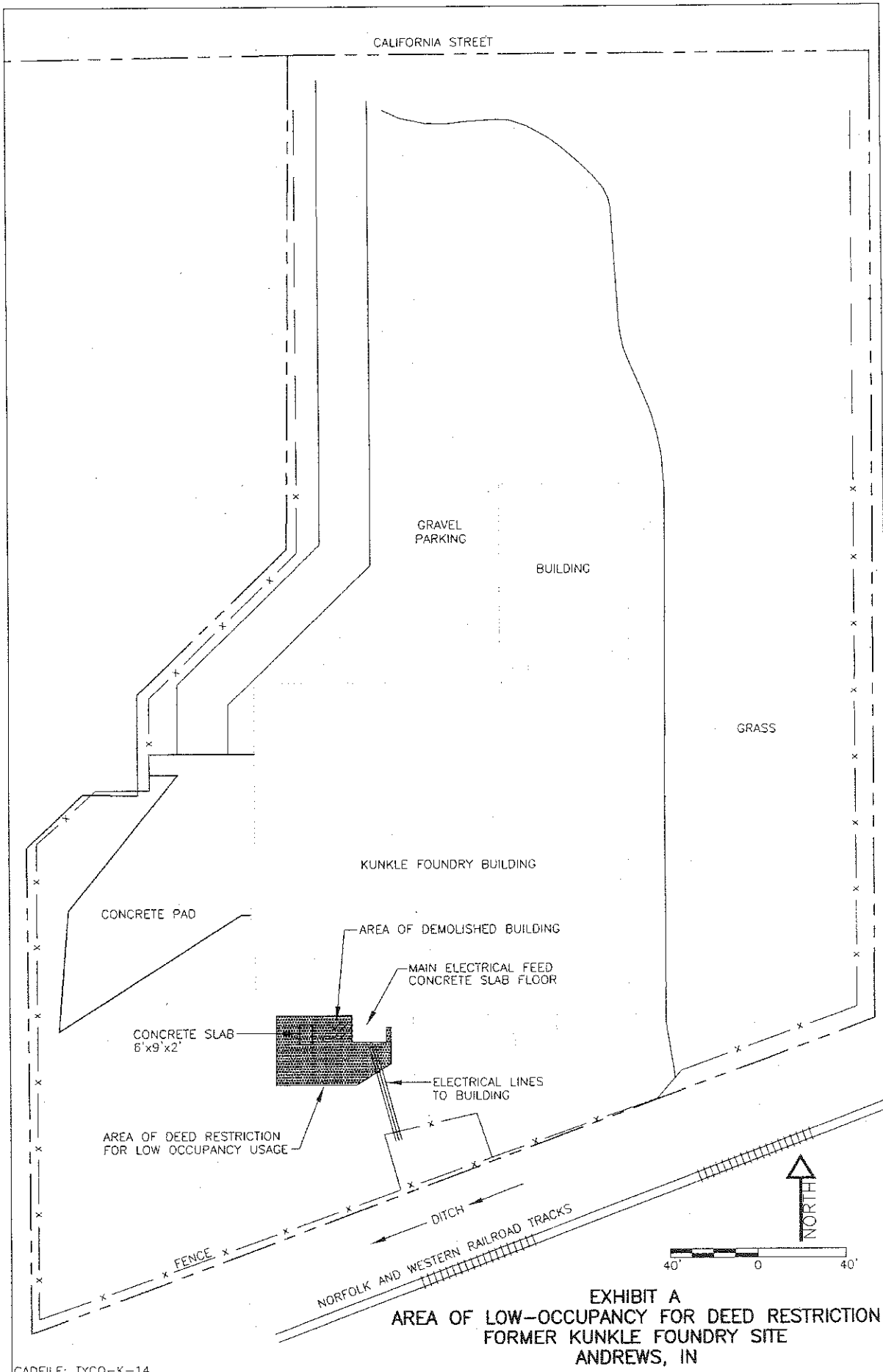


EXHIBIT A
AREA OF LOW-OCCUPANCY FOR DEED RESTRICTION
FORMER KUNKLE FOUNDRY SITE
ANDREWS, IN